

FORM PTO-1390 (Modified) (REV 11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 25529-02	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR) <div style="font-size: 1.5em; font-weight: bold;">09/674996</div>	
INTERNATIONAL APPLICATION NO. PCT/US99/16991		INTERNATIONAL FILING DATE 27 JULY 1999 (27.07.99)		PRIORITY DATE CLAIMED 27 JULY 1998 (27.07.98)	
TITLE OF INVENTION AUTOMATICALLY VARIABLE STRIDE WALK-RUN-STEPPER PEDAL EXERCISER					
APPLICANT(S) FOR DO/EO/US WILLIAM EDWARD JAMES					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 5px;"> 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. </div> <div style="width: 970px;"> <div> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. </div> <div> <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. </div> <div> <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). </div> <div> <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. </div> <div> <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) </div> <div> <div style="margin-left: 20px;"> <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). </div> <div style="margin-left: 20px;"> <input type="checkbox"/> has been transmitted by the International Bureau. </div> <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </div> </div> <div> <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). </div> <div> <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). </div> <div> <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) </div> <div> <div style="margin-left: 20px;"> <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). </div> <div style="margin-left: 20px;"> <input type="checkbox"/> have been transmitted by the International Bureau. </div> <div style="margin-left: 20px;"> <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. </div> <div style="margin-left: 20px;"> <input type="checkbox"/> have not been made and will not be made. </div> </div> <div> <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). </div> <div> <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). </div> <div> <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). </div> <div> <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). </div> </div> </div>					
Items 13 to 20 below concern document(s) or information included:					
<div style="display: flex;"> <div style="width: 30px; text-align: right; padding-right: 5px;"> 13. 14. 15. 16. 17. 18. 19. 20. </div> <div style="width: 970px;"> <div> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. </div> <div> <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. </div> <div> <input type="checkbox"/> A FIRST preliminary amendment. </div> <div> <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. </div> <div> <input type="checkbox"/> A substitute specification. </div> <div> <input type="checkbox"/> A change of power of attorney and/or address letter. </div> <div> <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail </div> <div> <input checked="" type="checkbox"/> Other items or information: </div> </div> </div>					
<div style="float: right; width: 300px;"> <p>I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail" Post Office to Addressee service under 37 CFR 1.10 on the date indicated below and addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.</p> </div> <div style="clear: both;"></div> <div style="text-align: right; margin-top: 10px;"> DATE: <u>11/2/00</u> EXPRESS MAIL NO. <u>EJ 89158175545</u> </div> <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 10px; padding: 5px;"> <p>A Petition for Revival and appropriate fee accompany this U.S. national entry application. There are no disclosures to be made at this time beyond those stated in the International Search Report.</p> </div>					

U.S. APPLICATION NO. (IF KNOWN, SEE) **09/674996** INTERNATIONAL APPLICATION NO. **PCT/US99/16991** ATTORNEY'S DOCKET NUMBER **25529-02**

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$970.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$840.00**
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$690.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$670.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **\$96.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$690.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☒ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	16 - 20 =	0	x \$18.00
Independent claims	1 - 3 =	0	x \$78.00

\$0.00

\$0.00

Multiple Dependent Claims (check if applicable). ☐

\$0.00

TOTAL OF ABOVE CALCULATIONS =

\$820.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☒

\$410.00

SUBTOTAL =

\$410.00

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

TOTAL NATIONAL FEE =

\$410.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

\$0.00

TOTAL FEES ENCLOSED =

\$1,030.00

Petition to Revoke \$620.00

Amount to be:
refunded \$
charged \$

☒ A check in the amount of **\$620.00** and **\$410.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **08-0719** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**JOHN B. HARDAWAY, III
NEXSEN PRUET JACOBS & POLLARD, LLP
P.O. BOX 10107 - FEDERAL STATION
GREENVILLE, SC 29603-0107**

SIGNATURE

J. HERBERT O'TOOLE

NAME

31,404

REGISTRATION NUMBER

DATE